

REMARKS

This responds to the Office Action mailed on September 25, 2008.

Claims 1 and 9 are amended, claims 2-3 are canceled, and no claims are added; as a result, claims 1, 4-7, and 9-14 remain pending in this application.

Specification Objections

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. In particular, the specification is objected to with regard to the portion of claims 1 and 9 which provide, “the first certificate is provided to the authorizer without interaction between the client and the third party with regard to the first certificate.” Applicant respectfully submits that support for this portion of the claims is provided at least in paragraphs [0016] and [0021] in the application as filed. For example, paragraph [0016] provides in part, “When Fly-By-Night (third-party) exercises the privileges in the client-to-third party certificate 306 (second certificate), E-Commerce (client) is notified to control the access and to provide the authorizer-to-client certificate 304 (first certificate). Thus, ***Fly-By-Night never has knowledge of the authorizer-to-client certificate 304***, keeping E-Commerce in the loop.” Thus, Applicant respectfully requests withdrawal of specification objections.

Claim Objections

Claim 9 was objected to due to informalities. It is believed that the amendment made herein to claim 9 obviates said objection by replacing the semicolon with a period. Withdrawal of the objection is respectfully requested..

§112 Rejection of the Claims

Claims 1-7 and 9-14 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. These rejections are on the same grounds as the specification objection above. Applicant respectfully submits that support for the identified elements of claims 1 and 9 is found in the application as filed in the same manner as provided above in response to the specification object. Thus, in the interests of brevity, Applicant

respectfully requests withdrawal of the 35 U.S.C. § 112, first paragraph rejection of claims 1-7 and 9-14 for the same reasons as Applicant requests withdrawal of the specification objections.

§103 Rejection of the Claims

Claims 1-7, 9 and 12-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey (U.S. 6,643,774; hereinafter “McGarvey”) in view of Lipkin et al. (U.S. 6,138,235; hereinafter “Lipkin”).

Applicant has canceled claims 2 and 3.

With regard to claims 1, 4-7, 9, and 12-14, Applicant respectfully traverses the rejections as the combination of McGarvey and Lipkin fail to teach or suggest all of the limitations of at least independent claims 1 and 9. For example, the Office Action admits on page 6 that McGarvey does not disclose that the certificate is provided without any interaction between the client and the third party with regard to the first certificate. Instead, the Office Action provides Lipkin for this purpose. However, Lipkin accomplishes the security task with only a single certificate. Although Lipkin discusses different types of tickets, there appears in the cited portion of Lipkin at col. 4, lines 1-59, that only a single ticket is used. With only a single ticket, Applicant is unsure how a ticket could be used to provide a third-part a delegated ability by a client without any interaction between the client and the third party with regard to the single ticket. Thus, the single ticket of Lipkin does not make sense in the providing teachings of the present claim, in particular how a single ticket could provide the same functionality without exchange of the ticket between all entities. Thus, Applicant respectfully submits that the combination of McGarvey and Lipkin fails to teach or suggest that the certificate is provided by the client to the authorizer without any interaction between the client and the third party with regard to the first certificate.

Applicant further submits that the single ticket solution of Lipkin teaches away from the two certificate solution of the present claims. Applicant respectfully submits that a system providing a suitable solution for its intended purpose using a single certificate, or ticket, as in Lipkin discourages a solution using a greater number of certificates as it is inherently more

difficult to generate and coordinate communications and use with regard to multiple certificates.

Applicant has amended independent claims 1 and 9 to further highlight this distinction.

Thus, Applicant respectfully submits that amended independent claims 1 and 9 are patentable over the combination of McGarvey and Lipkin. Claims 4-7 and 10-14 depend, directly or indirectly from patentable independent claims 1 and 9, respectfully, and are also patentable for at least the same reasons.

Claim 10 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey in view of Lipkin and further in view of Eastlake et al. ("XML-Signature Syntax and Processing"; hereinafter "Eastlake"). Eastlake is provided to show the additional elements of claim 10. However, Eastlake fails to cure the deficiencies of McGarvey and Lipkin discussed above with regard to independent claim 9 from which claim 10 depends. Thus, Applicant respectfully submits that claim 10 is patentable at least because it depends from patentable independent claim 9.

Claim 11 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarvey in view of Lipkin and further in view of Ellison et al. ("SPKI Certificate Theory"; hereinafter "Ellison").

Ellison is provided to show the additional elements of claim 11. However, Ellison fails to cure the deficiencies of McGarvey and Lipkin discussed above with regard to independent claim 9 from which claim 11 indirectly depends. Thus, Applicant respectfully submits that claim 11 is patentable at least because of its dependence from patentable independent claim 9.

CONCLUSION

Applicant respectfully submits that claims 1, 4-7, and 9-14 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6938 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6938

By



James D. Hallenbeck
Reg. No. 63,561